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DATE FILED: 06/26/2024

MEMO ENDORSED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Case No.: 7:24-CV-02137-NSR

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ROBERT CROCI, AS ADMINISTRATOR OF THE
ESTATE OF JOANN C. CROCI, DECEASED,

Plaintiff,

-against-

DECLARATION OF GEORGE A. SMITH, ESQ.
IN SUPPORT OF
MOTION TO REMAND

ZOLL MEDICAL CORPORATION AND ZOLL
SERVICES, LLC,

Defendants.

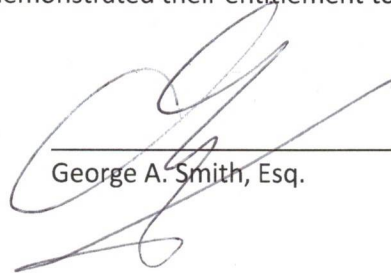
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I, George A. Smith, Esq., an attorney duly admitted to practice before this Court and the Courts of the State of New York, declare, under the penalty of perjury pursuant to 28 U.S.C. Section 1746 that the following is true and correct:

1. I am an attorney, duly admitted to practice before the United States District Court of the Southern District of New York. I am a member of Lambiase & Smith, attorneys for the Plaintiff herein. I am fully familiar with the facts and circumstances of this action.
2. I submit this Declaration in Support of Plaintiff's Motion to remand this matter to the Supreme Court of the State of New York, in and for the County of Orange.
3. The death certificate concerning decedent JoAnn C. Croci is annexed hereto as Exhibit A.
4. The Letters of Administration with Limitations issued by the Surrogate's Court of the State of New York, in and for the County of Orange, are annexed hereto as Exhibit B.
5. The Verified Summons and Complaint filed by Plaintiff against Defendants in the Supreme Court of the State of New York in and for the County of Orange, is annexed hereto as Exhibit C.
6. Defendants' Notice of Removal is annexed hereto as Exhibit D.
7. Plaintiff's letter seeking permission to move for remand is annexed hereto as Exhibit E.
8. The Memo Endorsement of this Court, dated April 4, 2024, is annexed hereto as Exhibit F.

9. The New York State Department of State, Division of Corporations Entity Information for Zoll Services is annexed hereto as Exhibit G.

10. For all of the reasons set forth in Plaintiff's accompanying Memorandum of Law, Plaintiff's respectfully request that this Court grant Plaintiff's motion in its entirety, along with such other, further and different relief as this Honorable Court might deem just and proper. As set forth in Plaintiff's Memorandum of Law, Plaintiff's have set forth and demonstrated their entitlement to remand.

Dated: May 6, 2024
Goshen, New York

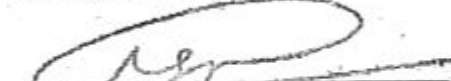


George A. Smith, Esq.

Motions at ECF Nos. 15 through 22 are documents in support of the motion at ECF No. 14. These documents are not stand alone motions and, therefore, the Clerk of Court is directed to terminate ECF Nos. 15 through 22.

Dated: June 26, 2024
White Plains, NY

SO ORDERED:



HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE